

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

CHANCE WILSON

Plaintiff

vs.

CONSUMER LEGAL GROUP P.C.
AND PHOENIX DEBT PROS, INC.
Defendants.

Case No. 1:24-cv-02276

JURY TRIAL DEMANDED

**REQUEST FOR CLERK’S ENTRY OF DEFAULT AGAINST DEFENDANT
PHOENIX DEBT PROS, INC.**

COMES NOW Plaintiff Chance Wilson, by and through the undersigned counsel, pursuant to FED. R. CIV. P. 55(a), and hereby files this Motion for Clerk’s Entry of Default against Defendant Phoenix Debt Pros, Inc. in the above-styled action. Plaintiff respectfully requests that the Clerk of Court enter default as the Defendant has failed to serve or file an answer to Plaintiff’s claims in this action within the time permitted by law or otherwise.

Federal Rule of Civil Procedure 12(a), entitled “Time to Serve a Responsive Pleading,” provides in pertinent part that “[a] defendant must serve an answer within 21 days after being served with the summons and complaint.” FED. R. CIV. P. 1(a)(1)(A)(i). Federal Rule of Civil Procedure 55(a), entitled “Entering a Default,” provides that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk *must* enter the party’s default.” FED. R. CIV. P. 1(a)(1)(A)(i) (emphasis added).

Here, the Plaintiff filed his Complaint on March 28, 2024. (See ECF No. 1.) Defendant Phoenix Debt Pros, Inc. was served with the Summons and Complaint on April 9, 2024. (See ECF No. 9.) Accordingly, Defendant's responsive pleading was due on April 30, 2024. Defendant did not file a response as of July 11, 2024. Accordingly, the Plaintiff requests that the Clerk enter the Defendant's default pursuant to FED. R. CIV. P. 55(a).

CONCLUSION

WHEREFORE, for the reasons set forth herein, the Plaintiff respectfully requests that the Clerk of Court enter default against the Defendant pursuant to FED. R. CIV. P. 55(a).

RESPECTFULLY SUBMITTED AND DATED this July 11, 2024.

/s/ Andrew Roman Perrong
Andrew Roman Perrong, Esq.
(Pro Hac Vice)
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CERTIFICATE OF SERVICE

I certify that I filed the foregoing via ECF on the below date, which will automatically send a copy to all attorneys of record on the case.

I further certify that I mailed a copy of the foregoing to:

Phoenix Debt Pros, Inc.
c/o: A Registered Agent Inc.
8 The Green, Suite A
Dover, DE 19901

and

Phoenix Debt Pros, Inc.
c/o: LibertyBell Law Group
20350 Ventura Blvd., Suite 230
Woodland Hills, CA 91364

and via email to Support@PhoenixDebtPros.com and Roy@phoenixdebtpros.com

and via fax to 302-485-9912

Dated: July 11, 2024

/s/ Andrew Roman Perrong
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